

NOTICE OF PROPOSED RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

PREAMBLE

1.

<u>Sections Affected</u>	<u>Rulemaking Action</u>
R7-2-614	Amend
2. The specific authority for rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):
Authorizing statute: A.R.S. 15-203

Implementing statute: A.R.S. 15-203(14)
3. A list of all previous notices appearing in the Register addressing the proposed rule:
None.
4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Christy Farley
 Executive Director

Address: 1535 W. Jefferson, Room 418
 Phoenix, AZ 85007

Telephone: (602) 542-5057

Fax: (602) 5423046

E-mail: cfarley@ade.az.gov
5. An explanation of the rule, including the agency's reason for initiating the rule:
The State Board of Education is responsible for "supervising and controlling the certification of persons engaged in instructional work directly as any classroom, laboratory or other teacher or indirectly as a supervisory teacher, speech therapist, principal or superintendent in a school district...and prescribe rules for certification...". In previous rulemaking, and thus under current Board Rule, the Board saw fit to provide an exemption to the certification requirements for superintendents in school districts with under 600 pupils. This exemption was provided through June 30, 2005. The State Board of Education received communication from several small school districts, the Association

of Small and Rural Schools and county school superintendents requesting an extension to this exemption for small school districts.

The State Board of Education believes it is appropriate to conduct an analysis of the current qualifications of superintendents in small school districts and evaluate appropriate qualification criteria for this population. This analysis cannot be conducted and rulemaking complete, however, prior to the expiration of the current exemption. For this reason, the Board is seeking an extension of the exemption for one year in this rulemaking package. During the next six months the Board will convene a group of stakeholders to conduct the analysis, develop recommendations and report back to the Board so that we may pursue additional rulemaking in this area.

6. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rule or proposes not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable.

7. A showing of good cause why the rule is necessary to promote statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

The proposed rules will not diminish any previous grant of authority of a political subdivision of this state. Although not political subdivisions, these proposed rules do promote statewide interest by allowing small school districts to maintain current individuals who are performing well in positions of superintendent who may not currently hold superintendent certificates.

8. The preliminary summary of the economic, small business, and consumer impact:

There is no anticipated negative fiscal impact as a result of these proposed rules. Adoption of these rules will maintain the current status quo. Should these rules not be adopted, school districts with under 600 students would be required to have superintendents who hold superintendent certificates. Not adopting these rules could, therefore, result in two possible negative consequences: vacant positions or additional costs to assist current individuals in these positions obtain the required coursework to be eligible for a superintendent's certificate or to hire individuals already holding a superintendent certificate.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Christy Farley
Executive Director

Address: 1535 W. Jefferson, Room 418
Phoenix, AZ 85007

Telephone: (602) 542-5057

Fax: (602) 5423046

E-mail: cfarley@ade.az.gov

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding on the proposed rulemaking is scheduled as follows:

Date: March 11, 2005

Time: 11:00 am

Location: State Board of Education
1535 W. Jefferson, Room 417
Phoenix, AZ 85007

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

12. Incorporations by reference and their location in the rules:

None.

13. The full text of the rules follows:

R7-2-614. Administrative Certificates

A. No change.

B. No change.

C. No change.

D. Superintendent Certificate -- grades Prekindergarten-12

1. The superintendent certificate is required for superintendents, assistant or associate superintendents, district chief executive officers regardless of title, and others with similar district-level administrative duties. In school districts with a student population of fewer than 600, a superintendent certificate shall not be required until June 30, ~~2005~~2006.
2. The certificate is valid for six years.
3. The requirements are:
 - a. A Master's or more advanced degree including at least 60 graduate semester hours;
 - b. Completion of a program in educational administration for superintendents, including at least 36 graduate semester hours of educational administrative courses which teach the standards described in R7-2-603;
 - c. Three years of verified teaching experience in grades Prekindergarten-12;
 - d. A practicum as a superintendent or two years verified experience as a superintendent, assistant superintendent, or associate superintendent in grades Prekindergarten-12;
 - e. A passing score on the Arizona Administrator Proficiency Assessment; and
 - f. A valid Class 1 or Class 2 fingerprint clearance card.

4. A valid superintendent certificate from another state may be substituted for the program in educational administration, teaching experience, and practicum described in subsections (D)(3)(b), (c), and (d).
5. Individuals who hold an Alternative Superintendent Certificate before the effective date of this rule shall be issued a Superintendent Certificate at the time of renewal. Individuals who were evaluated for an Alternative Superintendent Certificate before the effective date of this rule and who meet the qualifications in effect at the time of evaluation within two years of the evaluation shall be issued a Superintendent Certificate.